

# **THE TOWN OF FOREST HEIGHTS**

## **RESOLUTION 72-18**

### **A RESOLUTION REJECTING COMPETITIVE SEALED BIDS RECEIVED FOR RETAINING WALL (BID NO.: FH02-FY19) PROJECT AND TO RE-ADVERTISE**

Introduced by: Mayor Habeeb-Ullah Muhammad

**WHEREAS**, on or about November 2, 2018 at 2 p.m., after advertisement, sealed bids were received from three (3) contractors to remove the existing wall and construct a new concrete block retaining wall at the Forest Heights Municipal Building Parking Lot located at 5508 Arapahoe Drive, Forest Heights MD, 20745 (See Exhibit 1); and

**WHEREAS**, the three (3) aforementioned sealed bids received ranged in price from \$28,984 to \$52,163; however, a prior proposal, originally obtained in March of this year and modified and reissued on or about November 16, 2018 (See Exhibit 2), which can be withdrawn by the contractor after 30 days, was obtained and used to draft and scope the Notice to Bidders (BID NO.: FH02-FY19, See Exhibit 3), but was initially quoted at a substantially lower total cost than the three (3) sealed bids actually later received in response to the advertised Request for Bids; and

**WHEREAS**, the Town Council has authority to approve contracts and procurements pursuant to the Town Charter, Section 33-63, and Town Code, Section 20.4; and

**WHEREAS**, the Town Charter typically requires that purchases above \$10,000.00 shall be made on written contract and shall be obtained by the advertisement for sealed bids for all such written contracts; and

**WHEREAS**, Town Charter, §33-63 expressly reserves to the Mayor and Council the right to reject all bids and re-advertise; and

**WHEREAS**, the Council finds that by rejecting said bids and reissuing the request for bids, the Town will likely attract new and/or lower qualified bids.

**NOW THEREFORE, BE IT RESOLVED** that the Mayor and Town Council of the Town of Forest Heights, Maryland hereby rejects the aforementioned three (3) bids and authorizes the Mayor to re-advertise and solicit new or revised bids for former BID NO.: FH02-FY19 to include an invitation or notice to Portugal Construction, Inc. and to make any appropriate changes deemed necessary to the Instructions to Bidders.

**AND BE IT FURTHER RESOLVED** that this Resolution shall take effect upon its passage.

**PASSED** this 3rd day of December 2018.

The Town of Forest Heights

Resolution 72-18

Page 1

**THE TOWN OF FOREST HEIGHTS**

**RESOLUTION 72-18**

**APPROVED:** By Resolution of the Town Council of The Town of Forest Heights, Maryland.

ROLL CALL VOTE

YEA/NAY/ABSTAIN/ABSENT

MUHAMMAD

Yea

KENNEDY II

Yea

MCLAURIN

absent

BARNES

Yea

HINES

Yea

WASHINGTON

Yea

BROWNSON

Yea

ATTEST:

THE MAYOR AND COUNCIL OF THE  
TOWN OF FOREST HEIGHTS, MARYLAND

**SIGNATURE ON FILE**

Sherletta Hawkins, Town Clerk

By:

**SIGNATURE ON FILE**

Habeeb-Ullah Muhammad, Mayor

By:

**SIGNATURE ON FILE**

Calvin Washington, Council President

CERTIFICATION

I, hereby certify, as the duly appointed Town Clerk of the Town of Forest Heights, Maryland, that on the 3rd of December 2018 with 6 Aye votes and 1 Nay vote the aforesaid Resolution 72-18 passed.

**SIGNATURE ON FILE**

Sherletta Hawkins, Town Clerk

**Exhibit 1** (Three Bid Forms from Respondents for BID NO.: FH02-FY19), **Exhibit 2** (Proposal/Contract from Portugal Construction, Inc.); and **Exhibit 3** (Notice to Bidders: Retaining Wall of Town Hall Parking Lot Bid No.: FH02-FY19), attached hereto.